

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 2, 1992 to May 13, 1993

one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is the motion of Representative Cote of Auburn that the House accept the Majority "Ought Not to Pass" Report.

The Chair recognizes the Representative from Winslow, Representative Vigue.

Representative VIGUE: Mr. Speaker, pursuant to House Rule 7, I request permission to pair my vote with Representative H. Bailey of Township 27. If he were present and voting, he would be voting yea; I would be voting nay.

The SPEAKER: The Chair recognizes the Representative from Greenville, Representative Gould.

Representative GOULD: Mr. Speaker, pursuant to House Rule 7, I request permission to pair my vote with Representative Cashman of Old Town. If he were present and voting, he would be voting yea, I would be voting nay.

The SPEAKER: The pending question before the House is the motion of Representative Cote of Auburn that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 37

YEA - Adams, Aikman, Ault, Bailey, R.C.; Barth, Beam, Bennett, Bowers, Brennan, Bruno, Cameron, Carleton, Caron, Carroll, Cathcart, Chase, Chonko, Clement, Coles, Constantine, Cote, Cross, Daggett, DiPietro, Donnelly, Dore, Erwin, Faircloth, Farnsworth, Farnum, Fitzpatrick, Foss, Gamache, Gean, Gray, Greenlaw, Gwadosky, Hale, Hatch, Heeschen, Heino, Hillock, Høglund, Holt, Johnson, Joseph, Kerr, Ketterer, Kilkelly, Kontos, Larrivee, Lemke, Lemont, Lindahl, Lipman, Marsh, Melendy, Mitchell, E.; Mitchell, J.; Morrison, Nadeau, Nash, Nickerson, Norton, O'Gara, Oliver, Ott, Paradis, P.; Pendexter, Pendleton, Pfeiffer, Pineau, Plourde, Poulin, Rand, Reed, G.; Richardson, Rowe, Ruhlin, Saint Onge, Saxl, Simonds, Small, Spear, Stevens, K.; Sullivan, Swazey, Taylor, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, True, Walker, Wentworth, Winn, Zirkilton.

NAY - Ahearne, Aliberti, Anderson, Bailey, R.; Campbell, Carr, Clark, Clukey, Coffman, Dexter, Driscoll, Farren, Hussey, Jalbert, Joy, Kneeland, Kutasi, Libby James, Look, Lord, MacBride, Marshall, Martin, H.; Michael, Michaud, Murphy, Pinette, Plowman, Pouliot, Quint, Reed, W.; Ricker, Robichaud, Rotondi, Simoneau, Stevens, A.; Strout, Tardy, Tufts, Young, The Speaker.

ABSENT - Cloutier, Dutremble, L.; Hichborn, Jacques, Libby Jack, Rydell, Skoglund, Thompson, Whitcomb.

PAIRED - Vigue (Nay)/H. Bailey (Yea); Gould (Nay)/Cashman (Yea).

Yes, 97; No, 41; Absent, 9; Paired, 4; Excused, 0.

97 having voted in the affirmative and 41 in the negative with 9 being absent and 4 paired, the Majority "Ought Not to Pass" Report was accepted. Sent up for concurrence.

The Chair laid before the House the following

matter: Bill "An Act to Protect Reproductive Privacy in Maine" (S.P. 117) (L.D. 318) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

Representative St.Onge of Greene offered House Amendment "M" (H-129) and moved its adoption.

House Amendment "M" (H-129) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Greene, Representative St.Onge.

Representative St. ONGE: Mr. Speaker, Members of the House: I apologize to you, I know it has been a long day.

One of my concerns has been information provided to women seeking an abortion. I think this is important regardless of age. It is a difficult decision.

This amendment meets the need and avoids the informational requirements that have been used by both sides. It develops a neutral informational sheet which can be placed in a physician's office for anyone to pick up at any point in time. This would meet a legitimate requirement to provide information.

This amendment requires a public hearing so all parties would be involved and it would include such information as adoption, abortion, family financial support and whatever other information the committee would decide to put in.

I must stress this is not intended to make the process more difficult for a woman but to give them the information needed to make the decision. It is a difficult one and I urge you to support this amendment. Thank you for your time.

The SPEAKER: The Chair recognizes the Representative from Rome, Representative Tracy.

Representative TRACY: Mr. Speaker, I have been up as many times as this bill has been in front of us today. I request the yeas and nays when the vote is taken on House Amendment "M."

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is adoption of House Amendment "M" (H-129). Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 38

YEA - Ahearne, Aliberti, Anderson, Bailey, R.; Beam, Bruno, Cameron, Campbell, Carr, Chase, Chonko, Clark, Clukey, Coffman, Cross, Dexter, Donnelly, Dore, Driscoll, Farren, Gould, R. A.; Hillock, Hussey, Jalbert, Joy, Kneeland, Kutasi, Lemont, Libby James, Lindahl, Look, Lord, MacBride, Marsh, Marshall, Martin, H.; Melendy, Michael, Michaud, Murphy, Pinette, Plourde, Plowman, Pouliot, Quint, Reed, W.; Robichaud, Ruhlin, Saint Onge, Simoneau, Stevens, A.; Strout, Tardy, Tufts, Vigue, Young, Zirkilton.

NAY - Adams, Aikman, Ault, Barth, Bennett, Bowers, Brennan, Carleton, Caron, Carroll, Cathcart, Clement, Coles, Constantine, Cote, Daggett, DiPietro, Erwin, Faircloth, Farnsworth, Fitzpatrick, Foss,

Gamache, Gean, Gray, Greenlaw, Gwadosky, Hale, Hatch, Heesch, Heino, Hognlund, Holt, Johnson, Joseph, Kerr, Ketterer, Kilkelly, Kontos, Larrivee, Lemke, Lipman, Mitchell, E.; Mitchell, J.; Morrison, Nadeau, Nash, Nickerson, Norton, O'Gara, Oliver, Ott, Paradis, P.; Pendleton, Pfeiffer, Poulin, Rand, Reed, G.; Richardson, Ricker, Rotondi, Rowe, Saxl, Simonds, Small, Spear, Stevens, K.; Sullivan, Swazey, Taylor, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, True, Walker, Wentworth, Winn.

ABSENT - Bailey, H.; Cashman, Cloutier, Dutremble, L.; Farnum, Hichborn, Jacques, Libby Jack, Pendexter, Pineau, Rydell, Skoglund, Thompson, Whitcomb, The Speaker.

Yes, 57; No, 79; Absent, 15; Paired, 0; Excused, 0.

57 having voted in the affirmative and 79 in the negative with 15 being absent, House Amendment "M" (H-129) was not adopted.

The SPEAKER: The pending question before the House is passage to be engrossed on L.D. 318.

A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is passage to be engrossed of L.D 318.

The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, pursuant to House Rule 7, I request permission to pair my vote with Representative Dutremble of Biddeford. If he were present and voting, he would be voting nay; I would be voting yea.

The Chair recognizes the Representative from Caribou, Representative Robichaud.

Representative ROBICHAUD: Mr. Speaker, pursuant to House Rule 7, I request permission to pair my vote with Representative Thompson of Lincoln. If he were present and voting, he would be voting yea; I would be voting nay.

The SPEAKER: The pending question before the House is passage to be engrossed of L.D 318. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 39

YEA - Adams, Aikman, Ault, Barth, Bennett, Bowers, Brennan, Bruno, Cameron, Carleton, Caron, Carroll, Cathcart, Chase, Clement, Coles, Constantine, Cote, Daggett, DiPietro, Donnelly, Dore, Erwin, Faircloth, Farnsworth, Fitzpatrick, Foss, Gamache, Gean, Gray, Greenlaw, Gwadosky, Hale, Hatch, Heesch, Heino, Hillock, Hognlund, Holt, Johnson, Joseph, Kerr, Ketterer, Kilkelly, Kontos, Larrivee, Lemke, Lemont, Libby James, Lindahl, Lipman, Marsh, Michael, Mitchell, E.; Mitchell, J.; Morrison, Nadeau, Nash, Nickerson, Norton, O'Gara, Oliver, Ott, Pendleton, Pfeiffer, Plourde, Poulin, Rand, Reed, G.; Richardson, Rotondi, Rowe, Ruhlin, Saint Onge, Saxl, Simonds, Skoglund, Small, Spear, Stevens, K.; Sullivan, Swazey, Taylor, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, True, Walker, Wentworth, Winn, Zirkilton.

NAY - Ahearne, Aliberti, Anderson, Bailey, R.;

Beam, Campbell, Carr, Chonko, Clark, Clukey, Coffman, Cross, Dexter, Driscoll, Farren, Gould, R. A.; Hussey, Jalbert, Joy, Kneeland, Kutasi, Look, Lord, MacBride, Marshall, Martin, H.; Melendy, Michaud, Murphy, Pinette, Plowman, Pouliot, Quint, Reed, W.; Ricker, Simoneau, Stevens, A.; Strout, Tardy, Tufts, Vigue, Young, The Speaker.

ABSENT - Bailey, H.; Cashman, Cloutier, Farnum, Hichborn, Jacques, Libby Jack, Pendexter, Pineau, Rydell, Whitcomb.

PAIRED - Paradis (Yea)/Dutremble (Nay); Robichaud (Nay)/Thompson (Yea).

Yes, 93; No, 43; Absent, 11; Paired, 4; Excused, 0.

93 having voted in the affirmative and 43 in the negative with 11 being absent and 4 paired, L.D. 318 was passed to be engrossed in concurrence.

By unanimous consent, L.D. 318, 819 and 820 were ordered sent forthwith to the Senate.

The Chair laid before the House the third item of Unfinished Business:

HOUSE DIVIDED REPORT - Report "A" (6) "Ought to Pass" as amended by Committee Amendment "A" (H-100) - Report "B" (6) "Ought Not to Pass" - Committee on Fisheries and Wildlife on Bill "An Act to Prohibit the Use of Electronic Calling Devices While Hunting Moose" (H.P. 317) (L.D. 405)

TABLED - April 5, 1993 (Till Later Today) by Representative ROTONDI of Athens.

PENDING - Motion of same Representative to accept Report "B" "Ought Not to Pass".

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Larrivee.

Representative LARRIVEE: Mr. Speaker, Men and Women of the House: I would hope that we would have a Division on this. I would like to let us have a vote on this because the Committee was divided, we were six to six on this particular bill and I think it is an issue that deserves some debate and discussion.

The bill itself calls for the prohibition of electronic devices used for calling moose in moose hunts. It was the feeling of those of us who supported the "Ought to Pass" Report that we should prohibit these devices as we believe they are not necessary, knowing that the kill rate in the moose hunt is extremely high, it hardly seems necessary to go out there with electronic equipment. Some of these are large speakers used in order to call moose. It was the opinion of at least half of us on the committee that these were not necessary and not required.

So, I would ask you to reject the "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from West Gardiner, Representative Marsh.

Representative MARSH: Mr. Speaker, Ladies and Gentlemen of the House: I truthfully don't know when it is a split vote how I am supposed to tell you to vote. I hope that you will vote to send these electronic devices where they should be.